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Pro Se Petitioners

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

**IN RE:
PETITION OF JENNIFER GRANICK AND
RIANA PFEFFERKORN TO UNSEAL
TECHNICAL-ASSISTANCE ORDERS AND
MATERIALS**

MISC. CASE NO.: 16-mc-80206-PJH

**DECLARATION OF JENNIFER S.
GRANICK IN SUPPORT OF
PETITIONERS' MOTION FOR *DE
NOVO* DETERMINATION OF
DISPOSITIVE MATTER REFERRED
TO MAGISTRATE JUDGE AND
ADMINISTRATIVE MOTION FOR
EVIDENTIARY HEARING**

1 I, Jennifer S. Granick, hereby declare:

- 2 1. I am one of the Petitioners in this matter. I file this declaration in support of Petitioners'
3 Notice of Motion and Motion for *De Novo* Determination of Dispositive Matter Referred to
4 Magistrate Judge and Petitioners' Administrative Motion for Evidentiary Hearing.
 - 5 2. On December 20, 2018, co-Petitioner Riana Pfefferkorn and I received an e-mail from the
6 Hon. Joseph C. Spero stating that this Court had recently formed an "Ad Hoc Committee on
7 Public Access."
 - 8 3. According to the e-mail, the Committee's "charge is to consider whether changes should be
9 made to [the Court's] policies and procedures in order to increase public access to
10 information about sealed investigatory applications and orders in criminal matters."
 - 11 4. The e-mail asked Petitioners to provide any input we might have, but asked Petitioners to
12 refrain from raising the instant Petition in our submissions to the Committee.
 - 13 5. Since this case was filed in September of 2016, there has only been one court hearing. That
14 hearing addressed Petitioners' Motion to Unseal Docket Sheets and Publicly Docket Court
15 Records (D.I. 8). The hearing on that Motion was held on May 4, 2017 (D.I. 29) and the
16 motion was denied on June 23, 2017 (D.I. 36).
 - 17 6. There has never been an evidentiary hearing in this matter to elucidate evidence regarding the
18 administrative burden of unsealing some or all of the materials the Petition requests.
 - 19 7. On January 14, 2019, my co-Petitioner Riana Pfefferkorn contacted Assistant United States
20 Attorneys Kyle Waldinger, Laura-Kate Bernstein, Louisa Marion, and Garth Hire via e-mail
21 to notify them that we would be filing the Administrative Motion along with the Motion for
22 *De Novo* Determination, and to select a mutually-agreeable hearing date. Mr. Waldinger
23 responded on January 15, 2019 that government counsel could not commit to a hearing date
24 during the current partial federal government shutdown, but noted that no hearing date sooner
25 than March 20, 2019 was likely to work based on government counsel's various schedules.
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1 I declare under penalty of perjury of the laws of the United States that the foregoing is
2 true and correct. Executed at Las Vegas, Nevada on January 16, 2019.

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5 /s/ Jennifer Stisa Granick
6 JENNIFER STISA GRANICK (SBN 168423)
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